



Department of the Interior
National Park Service

Kenai Fjords National Park
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ATTACHMENT C
Kenai Fjords National Park
General Park-Specific Provisions
2015

These specific provisions are applicable to those commercial activities and areas authorized under Item #5 on the face of the CUA.

KENAI FJORDS NATIONAL PARK

1. Kenai Fjords permits the following commercial activities:

- Air Taxi
- Paddle Sports (includes Kayak Touring, Stand Up Paddleboarding)
- Dog Sled Tours
- Guided Skiing / Snowshoeing
- Photography (this category applies to trips organized or sold specifically for photography, generally led by a professional photographer. It is understood that incidental photography occurs during all commercial activities)
- Backpacking
- Guided Day Hiking (includes walking tours of the Exit Glacier Area)
- Mountaineering (includes glacial travel, ice climbing, ice hiking and any activity requiring technical equipment for ascending or descending slopes)
- Charter Boats (includes motorized boat tours and water taxis)
- Taxi / Shuttle Bus service – CUA not required**
- Bicycle Tours (on roadways only)
- Vehicle Caravans (private vehicles, such as RVs, organized and led on a commercial tour)
- Snowcoach Tours (on roadways only)

****36 CFR 13.1316:** *Commercial Transport of passengers by motor vehicles on Exit Glacier Road is allowed without a written permit. However, if required to protect public health and safety or park resources, or to provide for the equitable use of park facilities, the Superintendent may establish a permit requirement with appropriate terms and conditions for the transport of passengers. Failure to comply with permit terms and conditions is prohibited.*

2. Use of snow machines for commercial activities is prohibited without the express written authorization of the Superintendent.

3. Group Size Limits

- (a) All backcountry trips (this includes the Harding Icefield Trail, Harding Icefield, and all coastal areas of the park) are limited to a maximum group size of 14 people, including guides and assistants.
- (b) Commercial groups larger than 14 should arrange to split up and arrange drop-offs and pick-ups by air or water taxi in such a manner as to prevent more than 14 people on any one beach or other discrete location at one time, except in exigent circumstances or at the following locations:
 - Main kayak drop off beach, Northwestern Fjord
 - Beach adjacent to the Holgate Public Use Cabin
 - Any other location approved by the Superintendent in advance and in writing
- (c) If more than 14 people are dropped together by air or water taxi, they must make all reasonable efforts to immediately separate into two or more groups smaller than 14 people each and must set up camp at a minimum of 500 feet from each other.
- (d) If more than 14 people are picked up together by air or water taxi, they must make all reasonable efforts to minimize the time that combined groups are together at the pickup location, while still allowing adequate time to meet transportation provider schedule, break down equipment, etc.

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4. Nightly Stay limits in heavily used areas

(a) In Aialik Bay, Harris Bay and Northwestern Lagoon, commercial groups may not spend more than 2 nights at any location in order to protect opportunities for other groups to use the campsites and food lockers. This requirement does not apply if weather and sea conditions make travel dangerous or in the event of exigent circumstances (e.g. illness of trip member or damage to camping or kayak equipment which makes travel unsafe).

(b) All clients, permittees, guides and other employees must vacate the site and all supplies and equipment must be removed from the campsite / food locker for at least 24 hours to satisfy the requirement of 9 (a) above.

(c) Overnight stays at the Pederson Lagoon Easement site and all other coastal easements are limited to one night only, pursuant to the easement site regulations. Easements are marked by signs and are found on commonly used Trails Illustrated maps of the park. Further location information available upon request.

5. Food storage - designated areas and methods

(a) Definition: A *bear resistant container* (BRC) means an item constructed to prevent access by a bear. BRC's include—

- Items approved by the Department of Interior and Agriculture's Interagency Grizzly Bear Committee <http://www.igbconline.org/html/container.html>
- Park provided metal food lockers at some coastal campsites; and
- Any additional items approved in writing by the Superintendent.

(b) Food, food containers, garbage and harvested fish must be stored in a bear resistant container (BRC) or secured--

- Within a hard sided building;
- Within lockable and hard sided section of a vehicle, vessel, or aircraft; or
- By suspending at least 10 feet above the ground and 4 feet horizontally from a post, tree trunk, or other object on a wire or branch which will not support a bear's weight.

(c) At the Exit Glacier Campground all food preparation, cooking and eating must be done in the campground cooking shelter. No food items shall be taken to, consumed, or stored at the individual campsites.

(d) This regulation does not apply--

- On the Harding Icefield when surrounded by snow or ice for at least 1 mile in all directions;
- To food that is being transported, consumed or prepared for consumption; and
- To clean dishes and cooking equipment which are free of food odors.

6. Human Waste

(a) Within the Exit Glacier area and all other areas of the park, including the coast and within one mile of the edge of the Harding Icefield, all human waste and toilet paper must be carried out in a container such as Reststop II or PETT Wag Bag which is approved for disposal in a landfill.

(b) On the Harding Icefield more than one mile from the edge of the icefield, solid human waste and toilet paper must be deposited in biodegradable bags and deposited in a crevasse at least one mile from the edge of the icefield or packed out in a container such as Reststop II or PETT Wag Bag which is approved for disposal in a landfill.

7. Groups traveling in the coastal backcountry must carry at least one VHF radio capable of sending and receiving on Marine channel 16.
8. Groups shall not enter any adit or other mine opening on coastal mining claims either active or inactive.
9. Permittees are responsible for knowing the location of private holdings, native corporation lands, and public use easements along the coast of the park, and abiding by all applicable laws relating to same. In particular, guides should note that the Port Graham Corporation requires a use permit for entry upon their lands for any period of time and any purpose. Use of that land without permit constitutes trespass.
10. All equipment and supplies, including but not limited to tents, tarps, tools, fuel, food, kayaks, rafts, canoes, and garbage must be removed from each campsite upon departure. Departure will be defined as leaving the site with the intent of not occupying the site overnight within the next 24 hours.
11. Garbage may not be burned or buried. It must be removed from the park at the end of each trip.

12. Temporary storage or "caching" of equipment or supplies must be approved in advance and in writing by the Superintendent. This includes leaving food or other materials in a park provided Bear Resistant Container (-bear box) unattended for one or more nights.
13. Archeological and historic resources are protected by federal law. In the event that the permittee, their employees, or their clients encounter materials thought to be associated with a cultural site, the site location shall be recorded and the park Cultural Resource Manager, 907-422-0541, or Chief of Resources 907-422-0546, shall be notified.
14. Exit Glacier and Harding Icefield
 - (a) Commercial groups camping within the Exit Glacier area must either use public toilets or pack out all solid human wastes and toilet paper in an approved container such as the Restop II or PETT Wag Bag which is approved for disposal in a landfill.
 - (b) Groups camping at the Exit Glacier Campground may not occupy more than 4 sites per night. Sites are limited to 2 tents per site and 6 people per site.
 - (c) Any permittee accessing Exit Glacier from the Harding Icefield trail must use an access route which shall be identified by Kenai Fjords National Park. Each permittee must schedule a preseason field meeting with Park Staff to confirm the access to Exit Glacier and strategies to minimize their impacts on vegetation while accessing Exit Glacier. Permittee must notify Park Staff when snow conditions necessitate changes in access. Any deviation from the designated access route must be approved by the KEFJ Chief Ranger prior to use. The contact numbers for scheduling the preseason meeting are (907) 422-0500 or (907) 422-0520
 - (d) Permittees must check in at the Exit Glacier Nature Center before starting any guided ice hiking or mountaineering trip on Exit Glacier or the Harding Icefield. Permittee must notify Park Staff of the company name, number of people in the group and destination.
 - (e) Any permittee conducting guided ice hiking on Exit Glacier will arrange for Kenai Fjords staff to accompany the group for monitoring purposes, on request by Kenai Fjords National Park.
 - (f) All members of commercial groups on the Harding Icefield Trail must stay on the established trail in the alpine tundra zone. Shortcutting of switchbacks is prohibited.
 - (g) Campfires are prohibited in the Exit Glacier area except in a steel fire ring provided at the developed campground and in the picnic area. Along the coast, fires shall be built in the intertidal zone whenever possible. Fire rings of stones or other materials must be dismantled before leaving the site. Ashes must be dispersed, preferably in the ocean. Any burnt food or garbage must be packed out of the park as garbage. A fire pan is strongly encouraged to facilitate this process.
15. Neither permittees nor their employees shall rent or reserve a Public Use Cabin for commercial purposes. Permittees and/or employees shall not act as agents or representatives for clients renting or reserving Public Use Cabins.
16. Commercial groups shall not utilize Public Use Cabins, porches, decks or associated toilets, unless a member of the group has rented the cabin and has a valid Special Use Permit for same. No individual or group shall camp within 500 feet of a Public Use Cabin.
17. Bicycles are not permitted for commercial purposes except on the Exit Glacier Road, campground parking lot and in the main parking area.
18. Permittees shall, upon request, provide names and current addresses of all current owners, employees, agents, and / or representatives of the company.
19. Suspension, Restriction, Revocation and Denial policy

This Authorization may be suspended, restricted or revoked in accordance with the NPS Alaska Regional Policy Number 700-001. A violation is defined as:

 - a) Entering a plea of guilty or no contest or being found guilty of violating a state or federal law or regulation where a link exists between the offense and the business activity authorized by the Authorization regardless of whether the violation occurred in a unit of the National Park System;

- b) Failure to comply with state or federal law or regulation where a link exists between the offense and the business activity authorized by the *Authorization* regardless of whether the violation occurred in a unit of the National Park System and regardless of whether a court enters a finding of guilt;
- c) Violation of 18 U.S.C. 1001, providing false information to any agency or department of the United States;
- d) Failure to comply with a federal or state health or safety code or regulation when conducting activities authorized by the Commercial Use Authorization;
- e) Failure to comply with the provisions and conditions of the Commercial Use Authorization.

20. Commercial groups in motorized or non-motorized vessels inside the boundaries of Kenai Fjords National Park are required to adhere to Marine Mammal Viewing Guidelines, published by the National Marine Fisheries Service, as a condition of this permit. The current guidelines are summarized as follows:

- a) Remain at least 100 yards (length of a football field) from whales, dolphins, porpoises, and from seals and sea lions that are on land, rock, or ice.
- b) Use extra caution when viewing seals and sea lions that are on land, 100 yards may not be sufficient distance to prevent harassment.
- c) If a whale approaches within 100 yards of your vessel, put your engine in neutral and allow the whale to pass.
- d) Offering food, discarding fish, fish waste, or any other food item to a marine mammal is prohibited.
- e) Handling pups, touching, or swimming with the animals is prohibited.
- f) If you need to move around a whale, do it from behind the whale.
- g) Vessels that wish to position themselves to allow whales to pass the vessel should do so in a manner that stays fully clear of the whale's path. Whales may surface in unpredictable locations.
- h) Breaching and flipper slapping whales may endanger people and/or vessels. Feeding humpback whales often emit sub-surface bubbles before rising to feed at the surface. Stay clear of these light green bubble patches.
- i) Emitting periodic noise may help whales know your location and avoid whale and boat collisions. For example, if your engine is not running, occasionally tap the side of the boat with a hard object.
- j) Whales, dolphins, and porpoises are more likely to be disturbed when more than one boat is near them. Avoid approaching the animals when another vessel is near. Do not encircle the animals or trap them between the shore or another boat and your boat.
- k) Always leave whales, dolphins, and porpoises an "escape route."
- l) When several vessels are in an area, communication between vessel operators will ensure that you do not cause disturbance.
- m) Limit your time with any individual or group of marine mammals to less than one half hour.
- n) Your vessel may not be the only vessel in the day that approaches the same animal(s), please be aware that cumulative impact may also occur.
- o) Vessels traveling in a predictable manner appear to be less disturbing to animals. The departure from a viewing area has as much potential to disturb animals as the approach.
- p) Pursuit of marine mammals is prohibited by law.
- q) Never attempt to herd, chase, or separate groups of marine mammals or females from their young.

- r) Avoid excessive speed or sudden changes in speed or direction in the vicinity of whales.
- s) Assume that your action is a disturbance and cautiously leave the vicinity if you observe any of the following behaviors:
- Aggressive behavior by many animals towards the disturbance; or movement by many away from the disturbance
 - Herd movement towards the water
 - Hurried entry into the water by many animals
 - Increased interactions with other animals
 - Increased vocalizations
 - Several individuals raising their heads simultaneously